



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278*

November 26, 2024

**BY ECF**

The Honorable John P. Cronan  
United States District Judge  
Southern District of New York  
500 Pearl St.  
New York, NY 10007

**Re: *United States v. Brightman*, 23 Cr. 642 (JPC)**

Dear Judge Cronan:

The Government writes to provide additional information regarding the incident at the MDC described in the Government's November 22, 2024 letter (*see* Dkt. No. 38), and to convey the defense's request—which the Government does not oppose—for a brief adjournment of the December 17, 2024 sentencing and associated deadlines.


Based on discussions with legal counsel at the MDC, the Government understands that, on November 22, 2024, the defendant met with his attorney in the MDC's visiting area. After an MDC officer (Officer Benjamin) observed the nature of the defendant's interaction with his attorney and saw the defendant walk away with documents, Officer Benjamin asked to see the documents while escorting the defendant to his unit. As Officer Benjamin did so, she observed that the documents were marked "Attorney's Eyes Only."<sup>1</sup> Officer Benjamin then confiscated the documents and shredded them. The Government is still attempting to retrieve video from the MDC's visiting area, and will update the Court if it becomes aware of additional details surrounding the incident.

At this time, the Government is not seeking further relief from the Court. Defense counsel has agreed that, for the subset of November 21 documents that the Government designated "Attorney Possession Only," counsel will show the documents to the defendant via video-conference only, and not in person.

With respect to the timing of the sentencing, the final Presentence Investigation Report is scheduled to be released today, with the defense submission due on December 3, the Government's submission due December 10, and sentencing scheduled for December 17, 2024. (*See* Dkt. No.

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<sup>1</sup> The previous day, the Government produced materials on an "Attorney's Eyes Only" basis. Based on discussions with defense counsel, the Government agreed later that day that defense counsel could show the defendant a subset of those materials.

  
JOHN P. CRONAN  
United States District Judge